

## Claims

1. An isolated and/or recombinant nucleic acid comprising a tissue specific promoter or functional fragment thereof allowing for expression of a nucleic acid of interest operably linked to said promoter or functional fragment thereof in a cancer cell wherein said expression in said cancer cell is essentially carcinoma selective.

5 2. A nucleic acid according to claim 1 wherein said carcinoma comprises lung carcinoma.

Sub A1 3. A nucleic acid according to claim 1 or 2 comprising a nucleic acid or functional fragment thereof as shown from about position -778 to about position -422 in figure 1 or a nucleic acid functionally equivalent thereto.

10 4. A nucleic acid according to claim 3 derived from a human.

Sub A2 5. A nucleic acid according to anyone of claims 1 to 4 further comprising a nucleic acid of interest.

6. A nucleic acid according to anyone of claims 1 to 5 further comprising an inducible or suppressible promoter or functional fragment thereof.

15 7. A nucleic acid according to anyone of claims 1 to 6 further comprising a suicide gene or functional fragment thereof.

8. A vector comprising a nucleic acid according to anyone of claims 1 to 7.

9. A gene delivery vehicle comprising a nucleic acid according to anyone of claims 1 to 7.

20 10. A host cell comprising a nucleic acid according to anyone of claims 1 to 7, a vector according to claim 8 or a gene delivery vehicle according to claim 9.

11. An experimental animal comprising a cell according to claim 10.

Sub A3 12. Use of a nucleic acid according to anyone of claims 1 to 7, a vector according to claim 8 or a gene delivery vehicle according to claim 9 for the preparation of a medicament.

25 13. Use according to claim 12 wherein said medicament is for the treatment of cancer.

Sub A4 14. A medicament comprising a nucleic acid according to anyone of claims 1 to 7, a vector according to claim 8 or a gene delivery vehicle according to claim 9.

SUB  
A4 } 15. A method for the treatment of cancer comprising administering to a patient a nucleic acid according to anyone of claims 1 to 7, a vector according to claim 8 or a gene delivery vehicle according to claim 9.

16. A method for evaluating a possible treatment of disease comprising testing such  
5 treatment on a host cell according to claim 10 or an animal according to claim 11.

17. A method according to claim 16 wherein said treatment comprises treatment of disease comprising non-squamous epithelium.

SUB  
A5 } 18. A method according to claim 16 or 17 wherein said disease comprises carcinogenesis.